

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

IN RE: ) Chapter 7  
          )  
EASTERN LIVESTOCK CO., LLC, ) Case No. 10-93904-BHL-11  
          )  
          Debtor. ) Hon. Basil H. Lorch III

**MOTION PURSUANT TO FED. R. BANKR. P. 9006(c) FOR ORDER  
SETTING MOTION TO APPROVE SALE AGREEMENT AND COMPROMISE OF  
CLAIMS CONCERNING CATTLEMEN'S FEEDLOT, LTD. FOR HEARING ON  
DECEMBER 14, 2011 ON SHORTENED AND LIMITED NOTICE**

James A. Knauer, as chapter 11 trustee (the "Trustee") for Eastern Livestock Co., LLC ("Debtor"), by counsel, hereby moves the Court for the entry of an order ("Order") setting an expedited hearing on the *Motion to Approve Sale Agreement and Compromise of Claims Concerning Cattlemen's Feedlot, Ltd.* [Dock. No. 865] (the "Approval Motion") filed with this Court on November 30, 2011 and shortening and limiting notice thereon. The relief requested in the Approval Motion is necessary on an expedited basis because the Buyer<sup>1</sup> requires that the transactions provided for in the Sale Agreement be closed by year end. Additionally, the Court's resolution of the Approval Motion will allow the Court to resolve without additional evidentiary hearings and costs the *Motion to Compromise and Settle with Cattlemen's Feedlot, Ltd.* (the "East West Approval Motion") that was filed on November 21, 2011 in Case No. 10-93799 pending before this Court as *In re: East West Trucking Co., LLC* (the "East West Case"). Absent approval of the Approval Motion, the Trustee will contest the relief requested in the East West Approval Motion, causing parties in interest in both this case and the East West Case to incur additional expense.

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Approval Motion.

In order to maximize Debtor's estate for the benefit of all creditors, the Trustee, pursuant to Fed. R. Bankr. P. 9006(c) and Local Bankruptcy Rule B-9006-1, requests that the Court set the Approval Motion for an immediate hearing and grant the Approval Motion in order to maximize the return on Debtor's assets and avoid irreparable harm to Debtor's estate. The Trustee further requests that the Court authorize parties in interest to participate telephonically in the hearing on the Approval Motion.

The Trustee will provide notice of the Approval Motion, the Order setting a hearing thereon and the telephonic dial-in number on the date that the Court enters such Order by electronic mail through the Court's CM/ECF system (if applicable) and overnight mail or electronic mail to all parties listed on the attached certificate of service.

WHEREFORE, the Trustee respectfully request that the Court enter an Order (1) setting the Approval Motion for hearing on December 14, 2011, (2) allowing telephonic participation therein, (3) shortening and limiting notice thereon and (4) granting the Trustee such other and further relief as is just and proper.

Respectfully submitted,

BAKER & DANIELS LLP

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### **CERTIFICATE OF SERVICE**

I hereby certify that on November 30, 2011, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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I further certify that on November 30, 2011, a copy of the foregoing pleading was served via electronic mail transmission on the following:

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